

Notice of Allowability

Application No.

10/736,626

Applicant(s)

CASSADAY, TERRENCE JOSEPH

Examiner

Rodney B. White

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the After Final Amendment filed 7/28/2005 and the Interview on 9/22/2005.
2. ☒ The allowed claim(s) is/are 1, 3-7, 9-10, 12-17, 23, 19-20, 22, and 24-25 renumbered 1-20 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

Request for Extension of Time Under 37 CFR 1.136(a)

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on September 22, 2005, Eugene J.A. Gierczak (#31,690) requested an extension of time for 2 MONTH(S) and authorized the Director to charge Deposit Account No. 502385 the required fee of \$225.00 for this extension and authorized the following examiner's amendment. Applicant's representative also authorized any additional or reduction in fees that resulted from adding or canceling claims in the Examiner's Amendment to be charged or credited to the account. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Claims:

Claims 2, 8, 11, 18, and 21 have been canceled.

1. (Currently amended) At least two control levers each having one end [adapted for attachment] attached to a resting device [for], said at least two control levers controlling movement thereof, and each lever having another end with a tactile contour for identifying said control lever, said contour selected from the group of

(a) circular, triangular, square, rectangular, oval, and half circular shapes,

(b) spherical, pyramidal, cubical, letters and arrow shapes wherein said contour of one of said levers is different from said contour of said other lever;

each said lever controlling a different movement of said resting device and wherein each said tactile contour presents a peripheral edge permitting tactile perception and association of said lever with said respective movement of said resting device; and

a guide displaying said different geometric shapes and associated movements of the first and second lever control arms.

3. (Currently amended) At least two control levers as claimed in Claim [2] 1 wherein said peripheral edge is disposed in a plane.

7. (Currently amended) A plurality of levers each having one end [adapted for attachment] attached below a [chair] seat of a chair [for], said plurality of

levers controlling separate movements of a chair controlling separate movements of a chair, each said lever having another end presenting a substantially planar surface terminating at a periphery, said periphery defining a shape different from one another so as to actually distinguish said levers and the associated movements of said chair controlled by said levers, at least two of said plurality of levers having a periphery defining a shape selected from the group of circular, square, rectangular, oval and half circular shapes, each of said levers associated with a control guide displaying said different shapes and information corresponding to said separate movements of said chair respectively.

9. (Currently amended) A plurality of levers as claimed in Claim [8] 7 wherein each said planar surface is flat.

12. (Currently amended) A plurality of levers as claimed in Claim [11] 7 wherein said control guide is [adapted to be] carried by an arm of said chair.

13. (Currently amended) A chair having a selectively moveable back and seat and a plurality of control means attached below said seat [for] activating selected movements of said back and seat, wherein at least one of said control means includes an end having a peripheral edge defining a first shape different from the shape of a second peripheral edge of another one of said control means, said shapes selected from the group of circular, square, rectangular, oval

and half circular shapes[, for] tactically identifying said levers with their associated movement of said back and seat, and a guide displaying said first and second shapes of the at least one of said control means and another one of said control means.

15. (Currently amended) A chair as claimed in Claim 14 further including a guide presented by an arm of said chair [for] displaying indicia [for] correlating said different shapes of said control means and their associated movements of said back and chair.

22. (Currently amended) A method of correlating at least two separate movements of a chair with at least two lever control arms activating said movements respectively comprising the steps of:

(a) [providing] attaching [a] first and second lever control arms below [said] a seat of said chair, said first and second lever control arms with an end having a first and second geometric shape, respectively, wherein said first geometric shape is different from said second geometric shape,

(b) displaying a guide on an arm of said chair, said guide having said first and second geometric shapes with information associating said movements with said first and second geometric shapes of said lever control arms respectively.

23. (Currently amended) A chair having a selectively moveable back and seat including:

- (a) a first lever control arm having one end attached below said seat, and another end having a first geometric shape, said first lever control arm activating a selective movement of said back or seat;
- (b) a second lever control arm having one end attached below said seat and another end having a second geometric shape, said second lever control arm activating another selective movement of said back or seat different from said first lever control arm;
- (c) said second geometric shape different from said first geometric shape;
- (d) a guide presented by an arm of said chair [for] displaying said different geometric shapes and the associated movements of said first and second lever arms.

24. (New) At least two control levers as claimed in claim 1, wherein said guide is disposed on an arm of said resting device.

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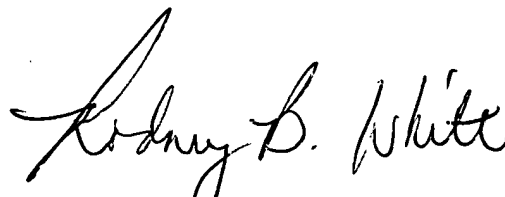
25. (New) At least two control levers as claimed in claim 1, wherein said guide comprises a computer screen.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney B. White whose telephone number is (571) 272-6863. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Cuomo can be reached on (571) 272-6856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rodney B. White,
Patent Examiner
Art Unit 3636
September 23, 2005


RODNEY B. WHITE
PRIMARY EXAMINER